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**MAILED**

**MAY 21 2010**

**OFFICE OF PETITIONS**

In re Application of :  
Vikram SINGH et al. :  
Application No. 09/468,752 : DECISION ON PETITION  
Filed: December 21, 1999 :  
Attorney Docket No. GEMS8081.028 :  
:

This is a decision on the petitions, filed November 02, 2006 and resubmitted October 15, 2009, which is being treated as a petition under 37 CFR 1.8(b), requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to reply to the non-final Office action mailed September 16, 2003, which set a three (3) month shortened statutory period for reply. Accordingly, the application became abandoned on December 17, 2003.

Petitioner asserts that multiple responses was filed on December 16, 2003, which included a petition under 37 CFR 1.144, a request for reinstatement of appeal brief and a supplemental appeal brief. However, the responses submitted are not proper responses to a non-final office action.

A review of the Office records indicates that the responses were filed on December 16, 2003, which makes the reply timely filed.

The petition satisfies the above requirements of 37 CFR 1.8(b). Accordingly, the holding of abandonment for failure to timely file a reply to the Office action of September 16, 2003 is hereby withdrawn and the application restored to pending status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at (571) 272-4231.

This application is being referred to Technology Center AU 3627 for appropriate action on the petition filed April 06, 2006.



Thurman K. Page  
Petitions Examiner  
Office of Petitions